

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
 )  
v. ) Case No: 1:20-CR-11-CLC-SKL  
 )  
JUSTIN NELSON )

**ORDER**

United States Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the five-count Second Superseding Indictment; (2) accept Defendant's plea of guilty to Count One of the five-count Second Superseding Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the five-count Second Superseding Indictment; (4) defer a decision on whether to accept the amended plea agreement until sentencing; and (5) order that Defendant shall remain in custody until sentencing in this matter. (Doc. 360.)

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 360) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One of the five-count Second Superseding Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the five-count Second Superseding Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the five-count Second Superseding Indictment;

(4) A decision on whether to accept the amended plea agreement is **DEFERRED** until sentencing; and

(5) Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **May 5, 2021, at 2:00 p.m.** before the undersigned.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**